GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted on the Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District on 18.01.2014 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Potnuru Anandha Rao, DCTO, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.687 **Dated:27-08-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.12/DES-VSK/2014, dated 11.05.2018.
2. G.O.Ms.No.234, Revenue (Vig.II) Department, dt.27-08-2020.
3. G.O.Ms.No.237, Revenue (Vig.II) Department, dt.27-08-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Potnuru Anandha Rao, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Potnuru Anandha Rao, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Potnuru Anandha Rao, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Potnuru Anandha Rao, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be

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presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Potnuru Anandha Rao, DCTO, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Srikakulam District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI POTNURU ANANDHARAO W/O LATE PENTAIAH, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

That Sri Potnuru Anandharao, S/o. late Pentaiah is native of Srikakulam. He joined in Government Service on 06-02-1985 as Junior Assistant in Commercial Tax Department and he worked as Deputy Commercial Tax Officer, Integrated Check Post, Ichapuram from 6.8.20.11 to 8.2.2015 and committed the following grave mis-conduct in as much as.

CHARGE :-

Sri Potnuru Anandharao while working as Deputy Commercial Tax Officer (Incharge Administrative Officer) at Integrated check post, Purushottapuram of Ichapuram Mandal, Srikakulam district absented for duty himself for the night shift (C shift) from 9 PM to 7 AM on the intervening night of 17/18.01.2014 without any prior permission from competent authority of the Integrated check post.

Thus Sri Potnuru Anandharao, DCTO has by his above mentioned acts has exhibited lack of devotion to the duty and conduct unbecoming of a Govt. servant and contravened Rule 3(1) & (2) and-4(1) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI POTNURU ANANDHARAO S/O LATE PENTAIAH, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

Sri Potnuru Anandharao, S/o late Pentaiah is native of Srikakulam was joined in Government Service on 06-02-1985 as Junior Assistant in Commercial Tax Department and he worked as Deputy Commercial Tax Officer, Integrated. Check Post, Ichapuram from 6.8.2011 to 8.2.2015. His basic pay is Rs.27,000/- and he is attaining superannuation on 31-08-2017. He is here-in-after called as Government Servant.

CHARGE :-

That the Government Servant while working as Deputy Commercial Tax Officer (Incharge Administrative Officer) at Integrated check post, Purushottapuram of Ichapuram Mandal, Srikakulam district absented himself for duty for the night shift (C shift) on the intervening night of 17/18.01.2014 without any prior permission from competent authority of the Integrated check post.

FACTS AND EVIDENCE:-

On receipt of credible information that the employees of the Commercial Tax Department, Transport Department, the Prohibition and Excise Department, Agriculture Market Committee and the Forest Department working at the integrated check post, Purushottapuram (Itchapuram) Srikakulam District were indulging in corrupt practices and Collecting mamools (illegal gratification) from the crew of the transport vehicles passing through the check post and as per the instructions of the Head Office, ACB, AP Hyderabad, a surprise check was organized under the close supervision of DSP, ACB, Vizianagaram Range over the integrated check post, Purushottapuram of Itchapuram Mandal on the intervening night of 17/18.01.2014 from 00.30 hrs to 07.15 hours in the presence of mediators with the assistance of ACB Inspectors, Vizianagaram and Visakhapatnam Ranges and found certain irregularities.

During the course of proceedings, the DSP seized the following records from the Check-post.

1. Attendance Register for the month of January, 2014.
2. Duty Register containing page written pages Nos.1 to 51.
3. Personal Cash Declaration Register containing page Nos 1 to 50 maintained from 29.12.2013.

Later when the Inspector of police, ACB, Srikakulam addressed a letter to the Administrative officer, Integrated check Post, Purushottapuram Srikakulam District, the Administrative officer furnished information vide his letter 6/2014, HC Dated: 02-04-2014. As per the information the Govt. Servant was on 3rd shift duty from 9 PM to 7 AM on the intervening night of 17/18-01-2014. But he has not attended for duty in 3rd shift and not signed in the attendance register and duty registers. As per records no leave petition of the Govt. Servant is available and hence he is deemed to be absent from duty.

The Government Servant being in charge of the Integrated check post for the night of 17/18-01-2014 absented himself from legitimate duties.

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Thus the said Government Servant by his above mentioned ants has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 3(1) (2) and 4(1) of APCS (Conduct) Rules, 1964.

The M.O.S. has therefore rendered himself liable for regular departmental action.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI POTNURU ANANDHARAO S/O LATE PENTAIAH, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

1	Original Surprise Check Proceedings Dated: 17-01-2014 at 0030 hrs to 0715 PM drafted at integrated Check Post, Purushottapuram, Ichapuram of Srikakulam District Containing pages 1 to 5.
2	Attendance Register maintained from January-2014, perused the register, maintained for all the officers and staff working round the clock and sanctioned leave letters of the staff of ICP, Purushottapuram.
3	Duty Register containing written Page Nos 1 to 51 maintained from 29.12.2013. Perused the register, found the details of the persons, attended the duty page No.51.
4	Reply from Administrative Officer, ICP, Ichapuram vide Rc.No. 6/2014, HC Dated 02-04-2014.
5	RC.No.179/2013/A1 dated 02-04-2014 of the Deputy Commissioner, Vizianagaram.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI POTNURU ANANDHARAO S/O LATE PENTAIAH, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

1	Sri Annepu Kumara Swamy S/o Krishna Murthy, 54 yrs, Assist BC welfare Officer, Srikakulam.
2	Sri Hanumanthu Venkata Satyannrayana S/o Suryarao, 27 yrs, Building Inspector, Municipal Office, Srikakulam R/o Gopalarapuram village, Palasa mandal. They stated about their presence as official mediators at the time of surprise check conducted on 18-01-2014 from 0030 AM at Integrated Check Post, Purushottapuram, Itchapuram and etc facts.
3	Sri V. Appalanaidu, Administrative officer, Integrated check Post, Purushottapuram, Srikakulam District. He speaks about his furnishing reply to the Inspector vide Rc.No. 6/2014, HC Dated 02-04-2014.
4	Sri Shaik Ghouse Azad, Inspector, ACB, Vizianagaram Range. He speaks to the facts of his assisting to DSP, ACB, Vizianagaram Range in the surprise check which was conducted on 17/18-01-2014 at Integrated Check Post, Purushottapuram, Itchapuram and obtaining reply from witness no.3.
5	Sri Ch.Laxmipathi, Deputy Supdt. of Police, ACB, Vizianagaram Range. He speaks to the facts of his conducting of surprise check against the Integrated Check Post, Itchapuram on 17/18-01-2014 from 0030 hours to 0715 hours etc., facts.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER